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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,350	03/17/2000	MASAHITO NIKAWA	15162/01620	6531

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EXAMINER

TILLERY, RASHAWN N

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 04/07/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/527,350

Applicant(s)

NIIKAWA ET AL.

Examiner

Rashawn N Tillery

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/3/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed January 28, 2004 have been fully considered but they are not persuasive.

Regarding Applicant's arguments concerning the Yamazaki patent failing to disclose issuing a command to turn off the electric power source while the display is performing writing, the examiner respectfully disagrees. The examiner notes that Applicant's claim language does not explicitly state how the command is generated- whether by user input or lack thereof- and thus Yamazaki's "command" to shift to standby mode could be broadly interpreted to read on Applicant's claim language. The examiner further notes that Yamazaki teaches, in figure 8, issuing a standby request 812, after a predetermined elapsed amount of time, to Operating System 801. Upon receipt of the request, OS 801 issues a standby request 813 to Graphics D/D 806 which controls power off of the LCD/CRT. However, before any action is taken, the Graphics D/D 806 examines the video memory write bit 817 to determine whether or not writing to the video memory 809 was performed. Therefore, Yamazaki's standby request could be sent while the video memory is writing or after it has completed writing (see col. 6, line 41 to col. 7, line 12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamazaki et al (US5768604) in view of Matsuzaki et al (US5627569).

Regarding claims 1 and 15, Yamazaki discloses, in figure 1, an electronic information device comprising:

a display (13);

an electronic power source for supplying driving power to the display (see col. 4, lines 24-30); and

a controller which, in response to a command to turn off the electric power source which is issued while the display is performing writing by consuming electric power supplied from the electric power source, turns off the electric power source after completion of the writing (see col. 5, lines 15-36; examiner notes that Yamazaki writes the image data to a video memory).

Yamazaki does not expressly disclose the use of a display with uses a material having a memory effect.

Matsuzaki reveals that it is well known in the art to utilize ferroelectric liquid crystal displays for their memory effect (see col. 1, lines 31-56). It would have been obvious to one of ordinary skill in the art to modify Yamazaki's teachings of displaying image data using a conventional display with Matsuzaki's teachings of a display with a memory effect. One would have been motivated to implement Matsuzaki's teachings in an effort to retain a display state for a substantially long time. The examiner further notes that displays with a memory effect are known for consuming less electric power.

Regarding claims 2 and 16, Yamazaki discloses that the information is written on the display based on image data (see col. 3, line 2).

Regarding claims 3 and 17, Yamazaki discloses, in figure 1, an image pickup unit (15) which picks up an image of an object by use on an image sensor and produces the image data (see col. Line 6).

Regarding claim 4, Yamazaki teaches a computer system with a power saving mode which inhibits a power off command to the display once writing of image data is detected. Yamazaki does not expressly disclose displaying and writing thumbnail images. Official Notice is taken that it is well known in the art to display thumbnail images on a computer monitor. It would have been obvious to one of ordinary skill in the art at the time the invention was made for Yamazaki to implement such teachings since thumbnail images are notoriously associated with display devices.

Regarding claims 5 and 19, see claim 1 above. In addition, Yamazaki discloses an automatic power-off process which turns off the electric power source at a specified time (see col. 4, lines 24-50).

Regarding claims 6 and 20, Yamazaki discloses shifting from a “normal power-on state” to a “standby state” after a predetermined timing period has elapsed; and thus, inherently teaches a timer for counting a specified time period from a specified operation of the electronic information device and for determining the specified time to turn off the electric power source.

Regarding claims 7 and 21, Yamazaki discloses the specified operation includes an operation of a key switch (see col. 4, line 40).

Regarding claims 8 and 22, see claim 2 above.

Regarding claims 9 and 23, see claim 3 above.

Regarding claim 10, see claim 4 above.

Regarding claims 11 and 24, Yamazaki discloses, in figure 1, an electronic information device comprising:

- a display (13);

- a first input member with which an operator can input a specified command (suspend switch 410; see figure 4); and

- a controller which, when the first input member is operated while writing on the display is being performed, invalidates the command sent from the first input member and, when the first input member is operated after completion of the writing, controls the electronic information device in accordance with the command sent from the first input member (see examiner's notes in claim 1).

Regarding claims 12 and 25, Yamazaki discloses the first input member is for inputting a command to shut off the supply of electric power to the display (see figure 4 where the suspend switch 410 shuts off power to the display).

Regarding claims 13 and 26, Yamazaki discloses, in figure 4, a second input member (Key Input Suspend SW 411) with which an operator can input a command which is different from the command inputted with the first input member;

wherein, the controller controls the electronic information device in accordance with the command sent from the second input member regardless of whether or not writing on the display is being performed.

Regarding claims 14 and 27, Yamazaki teaches a computer system with a power saving mode which inhibits a power off command to the display once writing of image data is detected. Yamazaki also reveals the use of a camera connected to the computer system for inputting image data; and thus has a shutter button. Official Notice is taken that it is well known in the art that the capturing of image data using the shutter button could be performed without affecting the writing of image data on a display (i.e. the image could be stored in the camera before it is sent to display); and thus it would have been obvious to one of ordinary skill in the art that the controller be able to control the electronic information device in accordance with the command sent from the second input member regardless of whether or not writing on the display is being performed since image capture does not directly affect writing on the display.

Regarding claim 18, see claim 4 above.

Regarding claim 28, see claim 1 above.

Regarding claim 29, see claim 19 above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashawn N Tillery whose telephone number is 703-305-0627. The examiner can normally be reached on 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RNT



NGOC-YEN VU
PRIMARY EXAMINER